

Please type a plus sign (+) inside this box →

21-20-00

CPA

08/94, 4596A v 1646

PTO/SB/29

Approved for use through 09/30/00. OMB 0451-032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
collection of information unless it displays a valid OMB control number

9 (1207)
46-3032
COMMERCE
CLERK

RECEIVED

APR 5 2000

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL**

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

DUPLICATE

TECH CENTER 1600/29L
CATE 4/8 4/9 P

Address to:	Attorney Docket No.	146.1275
Assistant Commissioner for Patents Box CPA Washington, DC 20231	First Named Inventor	F. Masishima et al
	Express Mail Label No.	EL568916669US
	Total Pages	.

This is a request for a continuation or divisional application under 37 CFR 1.53(d);
(continued prosecution application (CPA)) of prior application number 08/1945,459, filed on October 20, 1997, entitled NOVEL PROTEIN AND PROCESS FOR PRODUCING THE SAME.

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION. The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.

2. A preliminary amendment is enclosed.

3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
.....
b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. Information Disclosure Statement (IDS) is enclosed:
a. PTO-1449
b. Copies of IDS Citations

111 00000119 09945459

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

654660 9100000

04/25/2000 00000000000000000000000000000000

04/25/2001 91 FC:131

~ Please type a plus sign (+) inside this box →

PTO/SB/29 (12/97)

Approved for use through 09/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

RECEIVED
APR 25 2000
TELEFAX CENTER 1600/25

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	15 -20 =	0	x \$ 0 =	\$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1 -3 =	0	x \$ 0 =	0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 0 =	0
				BASIC FEE (37 CFR 1.16(a))	\$ 690.00
				Total of above Calculations =	\$ 690.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).	
				TOTAL =	\$ 690.00

6. Small entity status:

- A small entity statement is enclosed.
- A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 02 - 2275:

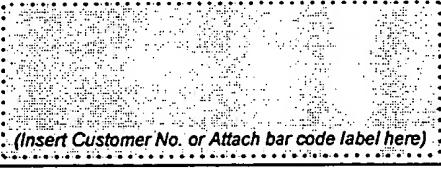
- Fees required under 37 CFR 1.16.
- Fees required under 37 CFR 1.17.
- Fees required under 37 CFR 1.18.

8. A check in the amount of \$ 690.00 is enclosed.

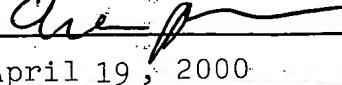
9. Other:

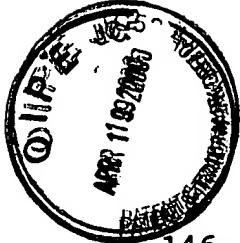
NOTE: The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	 (Insert Customer No. or Attach bar code label here)		<input type="checkbox"/> New correspondence address below	
NAME	Charles A. Muserlian			
ADDRESS	Bierman, Muserlian and Lucas 600 Third Avenue			
CITY	New York,	STATE	NY	
COUNTRY	U.S.A.	TELEPHONE	212-661-8000	
			ZIP CODE	10016
			FAX	212-661-8002

11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Charles A. Muserlian, 19,683
SIGNATURE	
DATE	April 19, 2000



Express Mail
No. EL568916694S

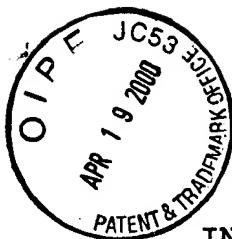
146.1275

"EXPRESS MAIL" Mailing Label Number EL568916669US

Date of Deposit: April 19, 2000

I hereby certify that this correspondence is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" Service under 37 CFR 1.10 on the date indicated above and is addressed to Asst. Commissioner for Patents, Washington, D.C. 20231.


Charles A. Muserlian



146.1275

CHP
TDR
1/20/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: : D. Romeo
P. MAKISHIMA et al :
Serial No.: 945,459 : Group: 1646
Filed: October 20, 1997 :
For: NOVEL PROTEIN...THE SAME :

600 Third Avenue
New York N.Y. 10016

AMENDMENT

Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the office action of July 21, 1999, please amend this application as follows:

IN THE CLAIMS:

Claims 7 and 15, lines 2 and 3 of each, cancel "and arvecular"

Claim 10 (twice amended) A process for preparing the [dimer] protein according to claim 2 which comprises the steps of:

constructing a plasmid containing DNA encoding a polypeptide, wherein said polypeptide [has] consists of the amino acid sequence in SEQ ID No: 1 [with a methionine at the n-Terminus],

introducing the plasmid into E.coli for transformation,

solubilizing inclusion bodies obtained by culturing said E.coli,

purifying the monomer from the solubilized solution, refolding the monomer protein into a dimer protein and purifying the same.

Claim 9, line 1, change "8" to --16--